IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 30TH JULY 2007 / 8TH SRAVANA 1929

WP(C).No. 24606 of 2004(D)

PETITIONERS:

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1. SEENA E.K.,VENGAPETTA HOUSE,
PAYAMBRA P.O.,KUNNAMANGALAM(VIA),
KOZHIKODE DISTRICT.
LAB TECH,HDC-IMCH, MEDICAL COLLEGE,KOZHIKODE.

2. HASEENA I.P, 5/118 ZUBIGHAR,
ERANHIPPALAM P.O.,KOZHIKODE-673006.
LAB TECH, DO - DO.

3. AJITH KUMAR P.,ABHINI NIVAS,
MAYANAD P.O.,CALICUT.
LAB ATTENDER, DO - DO.

4. GANESH T.P.,THEKKEPARAMBIL HOUSE,
MENHANIYAM P.O.,PERAMBRA(VIA),KOZHIKODE
BILL COLLECTOR, DO - DO.

5. PREETHA GANGADHARAN,SUJALALAYAM,
VIYYUR,KOLLAM P.O.,KOYILANDY,KOZHIKODE.
X-RAY TECH, DO - DO.

6. PUSHPALATHA C.K., C.K.HOUSE,
EDAKKALAM P.O.,KOYILANDY(VIA), PIN-673306.
LR-PRO, DO - DO.

7. PUSHPA ELATHUR,VELUTHINAM VEETTIL,
ELATHUR P.O.,NEAR CHETTIKULAM,KOZHIKODE.
LAB ATTENDER, DO - DO.

8. PAVITHRAN V.C.,VUTTUCHOLUYIL HOUSE,
CHUZHULI P.O.,VALAYAM(VIA),KOZHIKODE-673517.
LAB ATTENDER, DO - DO.

9. VINEETHA K.P.,MUTHUVANATHAZHI HOUSE,
AMBALAKOTH,MEDICAL COLLEGE P.O.,CALICUT-673008.
LAB ATTENDER, DO - DO.

10. BYJU K.M.,KUNIPRAMALAYIL HOUSE,
NADUVATHOOR P.O.,KOYILANDY,CALICUT-673330.
BILL COLLECTOR, DO - DO.

11. PAVITHRAN K.P.,MURINGOLIPOYIL HOUSE,
MARYAKUNNU P.O.,CALICUT, PIN-673012.
ELEC.MAINTAIN, DO - DO.

12. SUGUNAN K.,KARAPARAMMAL,
PARAPPNPOYIL P.O.,THAMARASSERY(VIA),
CALICUT PIN-673573.
WASTE, DO - DO.

13. RAJAN T.K.,PUTTAD COLONY,
CHONOLI P.O.,PERAMBRA.
SPECIAL PASS COUNTER

14. VASANTHI K.,KAVUTHYANKADY,MELUR P.O.,
KOYILANDY-673319.
LR-PRO, DO - DO.

15. KAUMUDI A.,VAVADA HOUSE,
KAYANNA BAZAR P.O.,PERAMBRA.
LR-ATTENDER, DO - DO.

16. SEKHARAN P.,PERATI HOUSE,NADUVATHUR P.O.
KOYILANDY VIA,PIN-673330.
INFORMATION CASUALTY, DO - DO.

17. BALAN A.,VADAKKAYIL MEETHAL,MEDICAL
COLLEGE P.O.,CALICUT PIN-673008.
PARKING FEE COLLECTOR, DO - DO.

18. SUBHASHINI O.M.,OMACHERI MEETHAL,
MEDICAL COLLEGE P.O.,CALICUT.
LR-ATTENDER, DO - DO.

19. SUBHASHINI KOYILANDY,VALIYAKALLIKUNI
(SANOOP NIVAS),PERUVATTUR P.O.,KOYILANDY.
WD-ATTENDER, DO - DO.

20. SREEJA M.,SREENILAYAM,KAKANDYPARAMB,
KALADITHARA P.O.,CHELAVOOR.
LAB-TECH, DO - DO.

21. VASANTHAI P.U.,POYILIL HOUSE,
NADAVATHUR P.O.,KOYILANDY VIA.
LAB ATTENDER, DO - DO.

22. JANARDHANAN A.T.,KELAMANYALATH CHALIL,
KOTTAMPARAMBA P.O.,KOZHIKODE DISTRICT.
WELDER, DO - DO.

23. MAIDHILY T.MELTHALY AREKKAL,
MEDICAL COLLEGE,CALICUT.
WD-ATTENDER, DO - DO.

24. RAJAN K.,KELLOTTIL HOUSE, KINALUR P.O.,
BALUSSERY VIA,CALICUT DIST,KERALA PIN-673621.
SECURITY, DO - DO.

25. AJITHPRASAD P.A.,PALLIMALAKUNNAL
HOUSE,KOTTOOLI P.O.,CALICUT-16,
KERALA STATE-673016.
SECURITY, DO - DO.

26. RAVINDRAN NAIR K.,SAJIN NIVAS,
MAKKADA P.O.,KOZHIKODE-673617
SECURITY, DO - DO.

27. SREEDHARAN M.,MEKKANHRATH HOUSE,
KARAYAD P.O.,MEPPAYUR(VIA),
KOZHIKODE-673524
SECURITY, DO - DO.

BY ADV. SRI.T.K.VIPINDAS

RESPONDENTS:
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1. THE DISTRICT COLLECTOR/CHAIRMAN,
HOSPITAL DEVELOPMENT COMMITTEE,INSTITUTE OF
MATERNAL AND CHILD HEALTH,MEDICAL COLLEGE,
KOZHIKODE-673008.

2. THE SECRETARY/SUPERINTENDENT,
HOSPITAL DEVELOPMENT COMMITTEE,
INSTITUTE OF MATERNAL AND CHILD HEALTH,
MEDICAL COLLEGE,KOZHIKODE-673008.

3. THE STATE OF KERALA REPRESENTED BY
THE SECRETARY,HEALTH AND FAMILY WELFARE,
GOVERNMENT SECRETARIAT,THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. MANOJ

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 24606/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE ORDER DT. 2/3/02 BY THE R2.

EXT.P2. COPY OF THE ORDER DT. 1/09/02 BY THE R2.

EXT.P3. COPY OF THE ORDER DATED 5/3/03 BY THE R2.

EXT.P4. COPY OF THE ATTENDANCE REGISTER FOR JUNE, 2004.

EXT.P5. COPY OF THE LIST WHICH SHOWS THE PERIOD OF SERVICE OF THE PETITIONERS.

RESPONDENT'S EXHIBITS

NIL

True copy

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KURIAN JOSEPH, J.

W.P. (C). NO. 24606 OF 2004

Dated this the 30th day of July, 2007.

J U D G M E N T

This writ petition is filed with the following prayers:

> i) Issue a Writ in the nature of Mandamus or any other Writ, Order or direction directing the respondents not to terminate the petitioners from their existing service till the attainment of age of 60 years.
>
> ii) Issue a Writ of Mandamus or any other Writ, Order or direction directing the respondents to permit the petitioners to continue in their existing service till the attainment of 60 years.

2. Learned Government Pleader submits that the Hospital Development Committee is authorized to make appointments on daily wages by Government Order dated 04.09.1999 and that circular has been upheld by this Court. Be that as it may. Admittedly, the term of appointment of the petitioners is over. It is made clear that in case respondents 1 and 2 decide to give appointment, the experience of the petitioners will be taken into consideration as one of the criteria for preferential treatment.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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